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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,089	11/14/2000	ALLEN D BAKER	10002104-1	3410

22879 7590 08/15/2005

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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/713,089	ALLEN, BAKER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ramy M. Osman	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 21-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-48 is/are rejected.
- 7) ☒ Claim(s) 22, 34 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*RS*

## **DETAILED ACTION**

### ***Status of Claims***

1. This communication is responsive to the RCE amendment filed on May 16, 2005, where applicant amended claims 21-23,32-34,40,41 and 4-45. . Claims 21-48 are pending.

### ***Claim Objections***

2. Claim 22 objected to: On line 7 change "pages" to "page".
3. Claims 22 and 44 objected to because of the following informalities: Remove the phrase "from the client" on line 5 of the claims. The phrase is repeated twice.
4. Claim 34 objected to: On line 6 change "[web pages" to "web pages".
5. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Applicants amendments overcome the previous 112 second paragraph rejections.
8. Claim 21 rejected. Claim 21 recites the limitation "the selected information web page" in lines 9-10. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**10. Claims 21,32 and 43 rejected under 35 U.S.C. 102(e) as being anticipated by Li (US Patent No 6,799,214).**

11. In reference to claim 21,32 and 43, Li teaches a method for supplying information, a server system, and a method of supplying a website, respectively comprising:

distributing a plurality of information web pages across a plurality of servers, wherein each information web page includes an indirect link to another information web page, the indirect link to an information web page being a link to a redirection web page for that other information web page and that redirection web page including an instruction to redirect a client terminal to that other information web page (column 5 line 60 – column 6 line 15 and column 6 lines 30-45); and

selectively serving a redirection web page for each information web page to a client terminal, wherein a redirection web page for a particular information web page is selectively served to the client terminal following a selection of an indirect link to the selected information web page (column 8 lines 10-25 & 40-51, Li teaches websites with embedded links, an end user

sending a request for a link and being served a redirection page containing a meta-tag instruction to redirect the end user to another page).

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. **Claims 22-31,33-42 and 45-48 rejected under 35 U.S.C. 103(a) as being unpatentable over Li (US Patent No 6,799,214) in view of DeBettencourt (US Patent No 6,279,001).**

14. In reference to claim 22,33 and 44, Li teaches the method and system of claims 21 and 32 above, further comprising:

presenting a first information web page of the plurality of information web pages to a client terminal (column 8 lines 1-30) ;

receiving a request from the client terminal for a second information web page of the plurality of information web pages, the request corresponding to a selection of the indirect link included in the first information web page (column 8 lines 1-30) ;

Li fails to explicitly teach determining if a server hosting the second information web page is operational; and wherein selectively serving comprises, if the server hosting the second information web page is determined to be operational, returning to the client terminal the redirection web page for the second web page, the returned redirection web page including an instruction for redirecting the client terminal to the second information web page. However,

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DeBettencourt teaches receiving user requests for web pages and an interceptor server checking the availability status of a server and redirecting the user to that server for the purpose of load balancing and managing multiple servers (Summary, column 6 lines 24-50 and column 7 lines 5-25).

It would have been obvious for one of ordinary skill in the art to modify Li by determining if a server hosting the second information web page is operational; and wherein selectively serving comprises, if the server hosting the second information web page is determined to be operational, returning to the client terminal the redirection web page for the second web page, the returned redirection web page including an instruction for redirecting the client terminal to the second information web page as per the teachings of DeBettencourt for the purpose of load balancing and managing multiple servers.

15. In reference to claims 23,35 and 45, Li in view of DeBettencourt teaches the method and system of claims 22 and 33, further comprising returning an error message to the client terminal if the server hosting the second information web page is determined to be unavailable (DeBettencourt, column 7 lines 35-42 & 49-51).

16. In reference to claims 24 and 36, Li in view of DeBettencourt teaches the method and system of claims 23 and 35, wherein returning an error message includes directing the client terminal to an error handling web page (DeBettencourt, column 7 lines 35-42 & 49-51).

17. In reference to claims 25 and 37, Li in view of DeBettencourt teaches the method and system of claims 24 and 36, wherein the error-handling web page includes an error message (DeBettencourt, column 7 lines 35-42 & 49-51).

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18. In reference to claims 26 and 38, Li in view of DeBettencourt teaches the method and system of claims 24 and 36, wherein the error-handling web page includes a redirection command (DeBettencourt, column 7 lines 35-67).

19. In reference to claims 27,39 and 46, Li in view of DeBettencourt teaches the method and system of claims 22,34 and 44, wherein determining comprises maintaining a centralized status of each server and inspecting the centralized status to determine the availability of the server hosting the second information web page (DeBettencourt, column 6 lines 24-50 and column 7 lines 7-25).

20. In reference to claims 28 and 47, Li in view of DeBettencourt teaches the method of claim 27, wherein maintaining comprises periodically updating a status of each of the servers (DeBettencourt column 6 lines 24-50).

21. In reference to claims 29,40 and 48, Li in view of DeBettencourt teaches the method and system of claims 28,39 and 47, wherein updating includes pinging the servers (DeBettencourt, column 6 lines 14-43 and column 19 line 55 – column 20 line 25).

22. In reference to claims 31 and 41, Li in view of DeBettencourt teaches the method and system of claims 21 and 32, further comprising providing a central server to host the redirection web pages, the central server being an initial target for requests made for each information web page (Li, column 9 lines 20-22).

23. In reference to claim 34, Li in view of DeBettencourt teaches the system of claim 33, further comprising a centralized database storing a status of each of said servers; and wherein the central server is operable to access the centralized database to determine whether a selected one

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of the plurality of servers hosting information web pages is operational (DeBettencourt, Summary, column 6 lines 24-50 and column 7 lines 5-25).

***Response to Arguments***

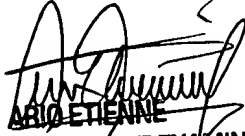
24. Applicant's arguments with respect to claims 21-48 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO  
August 7, 2005

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER